

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MARQUISE LOUIS DRUMWRIGHT,

Plaintiff,

v.

C. HUCKLEBERRY, et al.,

Defendants.

Case No.: 1:22-cv-01410 JLT SKO (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DISMISS ACTION
WITHOUT PREJUDICE FOR PLAINTIFF'S
FAILURE TO OBEY LOCAL RULES AND
FAILURE TO PROSECUTE**

(Doc. 52)

Marquise Louis Drumwright seeks to hold defendants liable for violations of his civil rights pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

The magistrate judge issued Findings and Recommendations regarding Plaintiff's failure to prosecute the action and failure to comply with the Court's Local Rules, specifically concerning Plaintiff's failure to keep the Court apprised of his current address. (Doc. 52.) The magistrate judge found terminating sanctions were appropriate after considering the factors identified by the Ninth Circuit in *Carey v. King*, 856 F.2d 1439, 1440 (9th Cir. 1988). (*Id.* at 2-5.) Therefore, the magistrate judge recommended the Court dismiss the action without prejudice for Plaintiff's failure to obey the Local Rules and failure to prosecute. (*Id.* at 5-6.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 14 days. (Doc. 52 at 6.) The Court advised him that the "failure to

1 file any objections within the specified time may result in the waiver of certain rights on appeal.”
2 (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file
3 objections, and the time to do so has passed.

4 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.
5 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations
6 are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 7 1. The Findings and Recommendations issued September 2, 2025 (Doc. 52) are
8 **ADOPTED** in full.
- 9 2. This action is **DISMISSED** without prejudice for Plaintiff’s failure to obey the Local
10 Rules and failure to prosecute.
- 11 3. The Clerk of Court is directed to close this case.

12 IT IS SO ORDERED.

13
14 Dated: **September 22, 2025**


UNITED STATES DISTRICT JUDGE